

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

and

JOHN BALDWIN, LEONARD BELL,
JOHANNES KAINDOH, WAYNE
HENDERSON, GODWIN ENAGBARE, and
JOE L. WILLIS,

Intervenor-Plaintiffs,

vs.

WASHINGTON GROUP
INTERNATIONAL, INC., RON BENNETT,
MICHAEL FOGARTY, and DENNIS
WOODRUFF

Defendants.

C.A. NO. 04-12097 GAO

PARTIALLY ASSENTED-TO MOTION OF DEFENDANT
WASHINGTON GROUP INTERNATIONAL, INC. TO RESCHEDULE
SETTLEMENT CONFERENCE

Defendant Washington Group International, Inc. ("WGI") files this motion to request that the Court reschedule the settlement conference currently set for October 17, due to an unavoidable scheduling conflict. Counsel for WGI, Stephen T. Paterniti, is scheduled to appear in Plymouth Superior Court in the case of McMahon v. Sterling Jewelers Inc., Civil Action No. 05-0036 for oral arguments on a motion to dismiss. This oral argument has been rescheduled numerous times over the last three months, and was scheduled for October 17 by Plymouth Superior Court before the settlement conference in this case was scheduled.

Plaintiff EEOC, and Plaintiff-Intervenors Johannes Kaindoh, Leonard Bell, Wayne Henderson, and John Baldwin assent to this motion. Plaintiff-Intervenors Godwin Enagbare and Joe Willis do not assent to this motion.

If the Court grants this motion, the parties request that the settlement conference be rescheduled for the week of December 17-20 (excluding December 21). The parties request a December date for the conference for two reasons: (1) Todd Bennett, counsel for four of the Plaintiff-Intervenors, begins a three-four week trial before Judge Saris on October 29, 2007; and (2) the parties may benefit from additional time to continue to attempt to negotiate a settlement in this case prior to a settlement conference in December.

For all the above reasons, WGI respectfully requests that the Court reschedule the settlement conference currently scheduled for October 17 until the week of December 17-20, 2007.

Respectfully submitted.

WASHINGTON GROUP INTERNATIONAL, INC.

By its attorneys,

/s/ Stephen T. Paterniti

Stephen T. Paterniti (BBO# 564860)

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CERTIFICATE OF SERVICE

This is to certify that on this 4th day of October, 2007, a copy of the foregoing document was electronically filed with the U.S. District Court for the District of Massachusetts through its Electronic Case Filing System.

/s/ Stephen T. Paterniti

Jackson Lewis LLP